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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

CARY WILLIAMS,

Petitioner,

v.

WILLIAM GITTERE, AARON D. FORD¹, *et al.*,

Respondents.

Case No. 2:98-cv-00056-APG-VCF

ORDER

**UNOPPOSED MOTION FOR
ENLARGEMENT OF TIME TO FILE
RESPONSE TO MOTION TO ALTER
OR AMEND JUDGMENT (ECF NO. 341)**

(FIRST REQUEST)

DEATH PENALTY CASE

Respondents move this Court for an enlargement of time of 46 days from the current due date of July 6, 2023, up to and including August 21, 2023, in which to file their Response to Williams' Motion to Alter or Amend Judgment. ECF No. 341. This Motion is made pursuant to FED. R. CIV. P. 6(b) and Rule 6-1 of the Local Rules of Practice and is based upon the attached declaration of counsel.

This is the first enlargement of time sought by Respondents and is brought in good faith and not for the purpose of delay.

DATED July 6, 2023

Submitted by:

AARON D. FORD
Attorney General

By: /s/ Katrina A. Lopez
Katrina A. Lopez
Deputy Attorney General

¹Aaron D. Ford is automatically substituted for Adam Paul Laxalt as the Attorney General of the State of Nevada. FED. R. CIV. PROC. 25(d).

DECLARATION OF KATRINA A. LOPEZ

I, Katrina A. Lopez, being first duly sworn under oath, depose and state as follows:

1. I am an attorney licensed to practice law in all courts within the State of Nevada and am employed as a Deputy Attorney General in the Office of the Nevada Attorney General. I am assigned to represent Respondents in *Cary Williams v. William Gittere, et al.*, Case No. 2:98-cv-00056-APG-VCF, and as such, have personal knowledge of the matters contained herein.

2. This Motion is made in good faith and not for the purpose of delay.

3. The Response to Williams' Motion is currently due on Thursday, July 6, 2023.

4. Respondents have been unable with due diligence to timely complete the Response.

5. In the past few months, Respondents filed: a response to motion to strike filed April 7, 2023 (*Christopher Ryan Martin v. Tom Lawson, et al.*, Case No. 2:22-cv-00850-APG-VCF); an answer filed April 26, 2023 (*Daniel Wolff v. Jerry Howell, et al.*, Case No. 2:20-cv-00494-JAD-EJY); a motion to dismiss filed May 11, 2023 (*Arturo C. Bolanos v. Renee Baker, et. al.*, Case No. 3:16-cv-00640-MMD-CSD); a reply in support of motion to dismiss filed May 17, 2023 (*Jerry E. Johnson v. Calvin Johnson, et al.*, Case No. 2:22-cv-00642-JAD-DJA); an answer filed May 22, 2023 (*Markiece Palmer v. Timothy Garrett, et al.*, Case No. 3:18-cv-00245-HDM-CLB); a response to motion to alter or amend judgment filed May 22, 2023 (*Christopher Ryan Martin v. Tom Lawson, et al.*, Case No. 2:22-cv-00850-APG-VCF); a motion to dismiss filed June 7, 2023 (*Sally D. Villaverde v. William Hutching, et al.*, Case No. 2:21-cv-01595-GMN-BNW); an answer filed June 16, 2023 (*Marcus Washington v. Warden William Gittere, et al.*, Case No. 3:19-cv-00256-MMD-CSD); a motion to dismiss filed June 26, 2023 (*Cameron Terral Thomas v. Warden of High Desert State Prison, et al.*, Case No. 2:22-cv-02030-JAD-EJY); a reply in support of motion to dismiss filed June 27, 2023 (*Sally D. Villaverde v. William Hutching, et al.*, Case No. 2:21-cv-01595-GMN-BNW); a reply in support of motion to dismiss filed July 3, 2023 (*Arturo C. Bolanos v. Tim Garrett, et al.*, Case No. 3:16-cv-00640-MMD-CSD); a motion to dismiss filed July 3, 2023 (*Terrell Torrey Taylor v. Calvin Johnson, et al.*, Case No. 2:21-cv-00948-ART-DJA); and various responses in state post-conviction cases.

6. Additionally, Respondents are reshuffling cases to accommodate various deadlines due to losing 3 Senior Deputy Attorney Generals and 5 Deputy Attorney Generals within a 15-month period.

1 And due to Respondents recent entry into this case, Respondents need additional time to review the
2 lengthy history/record.

3 7. Respondents communicated with counsel for Williams regarding this extension and they
4 do not object to this request.

5 8. Based on the forgoing, Respondents respectfully request an enlargement of time of 46
6 days from the current due date, July 6, 2023, up to and including August 21, 2023, to file our Response
7 to Williams' Motion.

8 I declare under penalty of perjury that the foregoing is true and correct.

9 Executed on July 6, 2023.

10 /s/ Katrina A. Lopez
11 Katrina A. Lopez (Bar. No. 13394)
12 Deputy Attorney General

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14 IT IS SO ORDERED:

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17 UNITED STATES DISTRICT COURT JUDGE

18 Dated: July 6, 2023
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